## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHAWN THOMAS MOORE,	)	
	)	
Plaintiff,	) Civil	Action No. 14-870
	) Judge	e David Stewart Cercone/
v.	) Chief	Magistrate Judge Maureen P. Kelly
	)	
SUSEN ROSSINO, M.D.	)	
	) Re: I	ECF No. 93
Defendant.	)	
	)	
	)	

## **ORDER**

Presently before the Court is Plaintiff Shawn Thomas Moore's "Motion for Order Compelling Defendant Rossino Answers to Plaintiff Discovery Requests," ECF No. 93, and Defendant Susen Rossino, M.D.'s Response in Opposition thereto, ECF No. 95.

In his Motion, Plaintiff asserts that Defendant has failed to respond to multiple discovery requests and, in particular, to one interrogatory seeking the dates that Defendant was physically present at the Lawrence County Jail within 13 specified periods.

In her Response, Defendant asserts that she has, as of the service of the Response, answered all of Plaintiff's written discovery requests. Defendant objected to the above-specified interrogatory on the basis that it was made in bad faith and it did not seek relevant information because only the dates that Defendant saw Plaintiff are relevant.

Based on Defendant's representation to the Court that she has responded to all discovery requests, the Motion will be denied in that respect. If Plaintiff has not received the responses, he may file a second Motion to Compel.

As to the specific interrogatory, it is Plaintiff's burden to prove the relevance of the requested information. See In re Milo's Kitchen Dog Treats Consol. Cases, 307 F.R.D. 177,

179 (W.D. Pa. 2015). Plaintiff has not sustained this burden. He baldly asserts that the

interrogatory "will lead to information that the Plaintiff will use in his Pretrial Narrative,

Motion for Summary Judgment, and at Trial." ECF No. 93 ¶ 26. He does not describe the

nature of such use or the relevance of the information sought. Accordingly, the Motion will be

denied in this respect as well.

AND NOW, this 11th day of July, 2016, IT IS HEREBY ORDERED that Plaintiff's

Motion for Order Compelling Defendant Rossino Answers to Plaintiff Discovery Requests,"

ECF No. 93, is DENIED.

BY THE COURT:

/s/ Maureen P. Kelly MAUREEN P. KELLY

CHIEF UNITED STATES MAGISTRATE JUDGE

cc: Shawn Thomas Moore

LZ-9799

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All counsel of record via electronic case filing